

# **SOUTH RIPLEY SOLAR PROJECT COMMUNITY ENGAGEMENT PLAN**

**December 2024**

## PROJECT CONTACT INFORMATION

### **Company Information**

ConnectGen Chautauqua County LLC  
1001 McKinney Street, Suite 700  
Houston, Texas 77002  
346-998-2020

[info@southripleysolar.com](mailto:info@southripleysolar.com)

### **Project Representative**

Alex Spiridakis, Manager, Development  
832-945-7454

[info@southripleysolar.com](mailto:info@southripleysolar.com)

### **Project Website**

[www.southripleysolar.com](http://www.southripleysolar.com)

### **Project Toll-free Hotline**

800-338-8905

### **Project Office**

During project construction, ConnectGen Chautauqua County LLC (“Developer”) will establish temporary office trailers at the laydown yard, the location of which is to be finalized. Developer will continue to seek public involvement throughout the pre-construction and construction phases of the Project. It is Developer’s intent to facilitate communication with interested or affected stakeholders, and to encourage community engagement.

### **Local Document Repositories**

The Plan and other Project documents and outreach materials will be made available at the document repositories listed below:

Ripley Town Clerk’s Office  
14 North State Street  
Ripley, NY 14775  
Monday, Tuesday and Friday  
9am – 12pm and 1:15pm – 4pm  
Saturday 9am – 12pm

Ripley Library  
64 Main Street  
Ripley, NY 14775  
Monday, Wednesday and Friday 10am – 5pm  
Tuesday and Thursday 10am – 7:30pm  
Saturday 9am – 2pm

**TABLE OF CONTENTS**

1. Authorities Having Jurisdiction.....6

2. Community Outreach Strategy .....7

    2.1. Stakeholder Identification .....8

    2.2. Outreach Activities To-Date .....9

    2.3. Consultation with the Affected Agencies and Stakeholders .....12

    2.4. Pre-Application Activities to Encourage Stakeholder Participation .....14

        2.4.1. Public Education Activities .....15

        2.4.2. Public Meetings .....17

        2.4.3. Educational Materials .....18

        2.4.4. Project Website .....19

        2.4.5. Notifications .....20

        2.4.6. Soliciting Feedback and Input from the Public .....20

3. Project Benefits.....21

    3.1. Payment in Lieu of Taxes and Host Community Agreement.....22

    3.2. Benefits to Disadvantaged Communities .....24

4. Local Interests and Concerns and Mitigation Strategies .....25

5. Method for Public Feedback .....27

6. Activities to Encourage Stakeholder Participation .....27

7. Addendum .....27

## **SOUTH RIPLEY SOLAR PROJECT COMMUNITY ENGAGEMENT PLAN**

ConnectGen Chautauqua County LLC (“Developer”) has been and will continue to be committed to building and implementing a robust Community Engagement Plan (“Plan”) that is responsive to the needs of the local community and to maintaining a transparent and responsive relationship with local stakeholders throughout the pre-award, development, construction, and operation of the South Ripley Solar Project (“Project”). This Plan describes how Developer has engaged and will continue to engage the local community, host municipalities (Town of Ripley and County of Chautauqua), stakeholders (including interested state agencies), and interested parties and solicit their involvement throughout the various phases of the Project. It is Developer’s ongoing intent to facilitate communication with interested or affected stakeholders, solicit public comments, provide timely notice of Project milestones and events, and encourage the public and interested parties to provide input. A robust Plan will ensure that Developer continues to engage the local community and receive stakeholder support and input throughout the life of the Project.

The Plan is organized to reflect the outreach activities to date and the intended steps to be taken when engaging stakeholders and interested parties going forward and at a minimum will address the following:

- (1) Identification of the Authority Having Jurisdiction (“AHJ”) and taxing School District, including elected local officials’ names, contact information, and tenure<sup>1</sup>;
- (2) Detail outreach strategies and activities Developer has implemented and will continue to implement to engage stakeholders and interested parties, including affected agencies, and to encourage public involvement throughout the pre-award, development, construction, and operation phases (consistent with the Project Milestone Schedule), including methods of communication and specific channels Developer has disseminated and will continue to disseminate Bid Facility information<sup>2</sup>;
- (3) Frequency of past/planned public events and the anticipated duration, in years, of the public engagement events of community outreach, and strategies to ensure that public engagement events are widely attended by a representative cross section of host community residents;

---

<sup>1</sup> “Authority Having Jurisdiction is defined by NYSERDA in the RESRFP24-1 process as follows: “The town(s) or city(ies) within which the Bid Facility is located.”

<sup>2</sup> “Bid Facility” is defined by NYSERDA in the RESRFP24-1 process as follows: “An electric generating station that has been submitted by the Proposer for consideration in response to this RFP.”

- (4) Details of the direct benefits to the community the project will advance;
- (5) Details on past/planned engagements regarding payments in lieu of taxes (“PILOT”) agreements or host community agreements (“HCAs”);
- (6) Applicability of New York State’s Climate Leadership and Community Protection Act (“CLCPA”) goals regarding benefits to Disadvantaged Communities (“DACs”) that would be realized with the development and construction of the Bid Facility<sup>3</sup>;
- (7) A description of local interests and concerns, including past/planned strategies to thoughtfully build support for and respectfully responding to any opposition to the Bid Facility;
- (8) Strategies that have been and will be used to mitigate concerns raised by the public regarding the Bid Facility, and if applicable, Energy Storage. This may include visibility and viewshed impact mitigation efforts, or other issues of importance to the host communities;
- (9) Past/planned methods for soliciting feedback and input from the public and affected agencies and the process for sharing feedback and responses publicly; and
- (10) Any changes to the community and public engagement requirements and standards of the state siting permit approval process resulting from the implementation of final 94-c regulations and Uniform Standard Conditions (“USCs”) by the New York State Office of Renewable Energy Siting (“ORES”).

---

<sup>3</sup> “Disadvantaged Communities” is defined by the CLCPA as follows: “communities that bear burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate- income households”

## 1. Authorities Having Jurisdiction

Early in the stakeholder identification process, Developer identified the AHJ and the taxing School District. As the primary recipients of the Project benefits, Developer has ensured and will continue to ensure these stakeholders are kept up to date on Project development, included in community engagement activities, and encouraged to provide feedback throughout the development, construction, and operation of the Project.

### **AHJ: Town of Ripley**

- Town Hall

- Address: 14 North State Street, Ripley, NY 14775

- Town Phone: 716-736-6881

- Regular office hours: Monday, Tuesday, Thursday, and Friday 9am – 12pm and 1:15pm – 4pm; Saturday 9am – 12pm

- Town Supervisor

- Laura Pless

- Address: 14 North State Street, Ripley, NY 14774

- Phone: 716-736-2201

- Email: [ripleyts@fairpoint.net](mailto:ripleyts@fairpoint.net)

- Town Board

- o Council member – Calvin Janes

- Address: 14 North State Street, Ripley, NY 14775

- o Council member – Jeffry Lyons

- Address: 14 North State Street, Ripley, NY 14775

- o Council member – Vacant

- Address: 14 North State Street, Ripley, NY 14775

- o Council member – Lee Swoap

- Address: 14 North State Street, Ripley, NY 14775

- Phone: 260-437-5162

**Taxing School District: Sherman Central School District**

- School District Office Address: 127 Park Street, PO Box 950, Sherman, NY 14781
- School Superintendent: Carrie Yohe
  - o Address: 127 Park Street, PO Box 950, Sherman, NY 14781
  - o Phone: (716) 761-6121 ex: 4801
  - o Email: [cyohe@shermancsd.org](mailto:cyohe@shermancsd.org)
- Board of Education:
  - o Teresa Guzman, President
    - Email: [boe@shermancsd.org](mailto:boe@shermancsd.org)
  - o Kristin Irwin, Vice President
    - Email: [boe@shermancsd.org](mailto:boe@shermancsd.org)
  - o Timothy Sears, Board Member
    - Email: [boe@shermancsd.org](mailto:boe@shermancsd.org)
  - o Brooke Long, Board Member
    - Email: [boe@shermancsd.org](mailto:boe@shermancsd.org)
  - o Emily Reynolds, Board Member
    - Email: [boe@shermancsd.org](mailto:boe@shermancsd.org)

**Taxing School District: Ripley Central School District**

- School District Office Address: 12 North State Street, Ripley, NY 14775
- School Superintendent: William Caldwell
  - o Address: 12 North State Street, Ripley, NY 14775
  - o Phone: (716) 736-7222
  - o Email: [wcaldwell@ripleycsd.org](mailto:wcaldwell@ripleycsd.org)
- Board of Education:
  - o Michael Boll, President, Phone: (716) 736-7222
  - o Shaun Waters, Vice President, Phone: (716) 736-7222
  - o Paul McCutcheon, Board Member, Phone: (716) 736-7222
  - o Karen Mooney-Crouch, Board Member, Phone: (716) 736-7222
  - o Jacqueline Melter, Board Member, Phone: (716) 736-7222

**2. Community Outreach Strategy**

A robust Plan must include: consultation with the affected agencies and other stakeholders, pre-Application activities to encourage stakeholders to participate at the earliest opportunity, activities designed to educate the public as to the specific proposal and the Section 94-c review process,

including the availability of funding for municipal and local parties, the establishment of a website to disseminate information to the public, notifications, and activities designed to encourage participation by stakeholders in the certification and compliance process. The Plan is ongoing and may evolve throughout all phases of the Section 94-c review process (pre-Application phase, Application phase, hearing and decision phase, and post-certification phase). Developer has disseminated and will continue to disseminate information regarding the Project to stakeholders, solicit information from those stakeholders during public outreach events, and generally foster participation in the Section 94-c review.

Developer has established a user-friendly website ([www.southripleysolar.com](http://www.southripleysolar.com)) in plain English that describes the Project and Developer, answers frequently asked questions, and has provided and will continue to provide updates throughout the development and construction phases of the Project to keep the community informed of the Project's status (see Section 2.4.4 below for additional detail). The website also provides several avenues to contact Developer regarding the Project.

Additionally, as part of the state permitting process, the New York State Department of Public Service (NYSDPS) maintains a website (<http://documents.dps.ny.gov>) where all materials associated with the Project review have been and will continue to be published. The NYSDPS website also provides an opportunity for stakeholders to comment on the Project or request to be a party in the state permitting process.

## **2.1. Stakeholder Identification**

A fundamental first step in the community outreach process is identifying the stakeholders that may be affected by the construction and operation of the Project. Developer maintains a development approach that places transparency, safety, accountability, and respect for local communities as its core values. Developer's approach is to proactively engage interested community members, agencies, municipalities, utilities, host landowners, and other potential stakeholders by being transparent always and providing timely information to consistently educate and involve all stakeholders. Further, Developer understands that stakeholders may change during the development cycle of a project; therefore, Developer has reviewed and assessed and will continue to review and assess stakeholder involvement throughout the Project's post-certification and construction processes to ensure new stakeholders that may have interests in the Project are identified and informed at the earliest opportunity.

The process by which Developer identifies specific stakeholders for this Project is informed by prior experience both generally and as part of a New York-specific permitting and community engagement regime. Current and ongoing stakeholder identification efforts for the Project include, but are not limited to, reviewing County GIS records, tax records, personal visits, word-of-mouth, public meeting attendee lists, discussions with local community members, public outreach, and internet research. With the Project website in place, community members are able to request inclusion to Developer's Notification List via the web portal or contact information publicly available.

Developer maintains a master list of stakeholders (the "Notification List"), which includes all known potentially interested stakeholders and parties, based upon the combination of efforts described above. This Notification list includes, but is not limited to, local municipal officials, state agencies, host landowners, adjacent landowners, and local emergency responders. Developer will continue to update the Notification List based on information and requests from interested stakeholders received during engagement activities.

## **2.2. Outreach Activities To-Date**

Developer's Plan focuses on early and frequent communication with landowners and host communities, including the Town of Glen. In April 2019, representatives of the South Ripley Solar Project introduced the Project to the then Ripley Town Supervisor, Doug Bowen, and provided him with general information about Developer and its approach to utility-scale solar development. The Project Team held numerous subsequent meetings with Mr. Bowen to provide updates and details related to project development and request feedback regarding the same. A Developer representative also directly introduced the Project to other members of the Town Board, including Counsel Members Mike Rowe, Phil Chimera, John Trevelline, Patricia Hathaway, Don Henry, and Julie Rice and has attended numerous monthly Planning Board and Town Board meetings (both virtually and in-person) to date with solar-related agenda items. In March and June 2021, Project representatives submitted comments and recommendations regarding the Town of Ripley's draft solar zoning law to Town Supervisor Bowen and shared Developer's perspective on current industry standards and practical considerations for the development and construction of utility-scale solar projects. The Town Board was receptive to Developer's feedback regarding the draft law and passed a new solar law in September 2021. Developer informally introduced the Project to Donald McCord, Chautauqua County Planning Director in 2019 and has communicated with

Mr. McCord on several occasions regarding the status of the Project. Developer met with the Superintendents of the Sherman Central School District and Ripley Central School District to introduce the project and outline the PILOT process in June 2020. Since May 2020, Developer has held numerous consultation meetings with and hosted an energy storage safety webinar for different emergency response personnel, including the Chautauqua County Department of Emergency Services, the North East Fire Department, and the Ripley Volunteer Fire Department. Developer has been a member of the Chautauqua County Chamber of Commerce since 2020 and has made multiple donations per year to community organizations, including, but not limited to, the Ripley Central School District Parent Teacher Organization, Meeder's Restaurant, Ripley Elementary families, Main Street Pizza, the Ripley Rotary Club, the Ripley Public Library, the Ragin' Raisins Wrestling Team, the Sherman Food Pantry, the Lake Youth Football Organization, Tri-County Surge Softball, the United Way of Northern Chautauqua County, and WRCL Youth Wrestling.

In December 2019, Developer hosted two separate, in-person meetings to introduce the Project to Town of Ripley Residents and other stakeholders. The sessions were attended by 50 individuals, not including the Project team. Attendees were able to view posters with information on topics of interest, such as a description of the Project, information on solar photovoltaic and battery energy storage systems ("BESS"), educational information on the Article 10 process, environmental considerations for project development, instructions on how to access Article 10 documentation and how to file comments on the Siting Board's online Document Management Master system. Developer collected names and contact information from individuals interested in hearing more information about the Project and provided the option for attendees to be added to the Article 10 master stakeholder list.

Per the Article 10 Public Involvement Program Plan, the Applicant intended to hold an in-person public meeting in relation to the filing of the Article 10 Preliminary Scoping Statement ("PSS"); however, at the time the PSS was filed, New York State had initiated COVID travel and meeting limitations in response to the widespread emergence of COVID across the United States. Therefore, to ensure that the local community was notified of and received information pertinent to the PSS, Developer prepared a comprehensive Project and permitting Overview that was mailed along with the PSS filing notice to all stakeholders on the Notification list. This overview was in slide deck format and included all information that would have been included on presentation boards at a public meeting. The overview also included contact information for Developer and filing instructions for PSS responses. As a result of the PSS filing and

comprehensive mailing, Developer received comments on the PSS from a large number of stakeholders including the Town of Ripley, the Ripley Volunteer Fire Department, the South Ripley Cemetery Association, local landowners, and relevant state agencies. Additionally, the Town of Ripley and Ripley Volunteer Fire Department both requested, and received, intervenor funding for the review of the PSS and future engagement/project review.

Following the Project's transition to the 94-c permitting process, Developer held a virtual public information meeting (due to COVID-19 restrictions) in January 2021, during which Project representatives gave project updates and answered questions. Over 74 participants, not including Developer's representatives or consultants, attended the virtual meeting, and over 100 questions were asked during the live question and answer period at the end of the meeting. A recording of the presentation was posted on the Project website for continued accessibility and availability. All questions not answered live were answered in writing via a Q/A transcript, which was posted on the Project website following the meeting.

In January and April 2021, Project representatives held Local Agency Consultation Meetings (in a virtual format due to COVID-19 restrictions) to walk local agencies through information to be contained in the 94-c Application as well as identifying waivers to be requested because certain substantive provisions of the Proposed Zoning Law were unreasonably burdensome. The January 2021 meeting was held with Chautauqua County representatives, and the April 2021 meeting was held with Town of Ripley representatives.

In April 2020, Developer sent a news bulletin to all landowners in the Project study area with information about the Project, contact information, and anticipated Project next steps. In both June and December 2021, Developer sent Project benefits mailers to every residence in the 14781 and 14775 zip codes, and Project milestone press releases were issued by either Developer or a third party in March 2020, July 2020, November 2020, January 2022, April 2022, April 2023, October 2023, December 2023, and July 2024. Water Well Survey mailers were sent to host and adjacent landowners and Agricultural Use Questionnaires were sent to host landowners in February 2021.

Additionally, in November 2021, and after the 94-c Application had been filed, Developer hosted two separate in-person meetings to walk attendees through the information contained in Developer's 94-c Application and answer questions.

In August 2022, the Administrative Law Judge assigned to review Developer's 94-c application held a Public Comment Hearing, during which any affected party was invited to attend the hearing and comment on the application and draft permit conditions. Following the Public Comment Hearing, Developer filed written responses to comments received during the hearing.

Since early 2019, Developer has engaged in frequent discussions with both participating landowners and adjacent landowners in the Project Area. As the Project has advanced over the last 4+ years, Developer has regularly extended the opportunity to participate in the project via letter of intent or lease and easement agreement to key landowners with suitable acreage in the general Project Area. Developer's broad-sweeping approach to landowner outreach has created a general awareness of the Project in the immediate vicinity. As the Project has advanced, Developer has continued robust in-person outreach efforts with all landowners immediately adjoining the Project Area to ensure they are aware of the Project and the resources available to monitor the Project's progress. As part of this outreach, Developer has approached potentially impacted landowners whose land will not host Project facilities and offered them the opportunity to participate in the Project through neighbor agreements.

More broadly and as outlined in this Plan, Developer has communicated and will continue to communicate with local municipalities and stakeholders throughout the post-certification, construction, and operation processes to ensure they are aware of the Project and their interests are identified and inputs collected.

### **2.3. Consultation with the Affected Agencies and Stakeholders**

As described above, Developer has regularly engaged the Town of Ripley over the last 4+ years regarding its intentions to develop a solar project in the Town, providing details about the Project and information about the Article 10 and Section 94-c processes, and keeping town officials apprised of Project development efforts and progress. Developer will continue to communicate with local municipalities and other stakeholders to ensure they are aware of the Project and their interests or concerns are identified.

Developer consulted with affected state and federal agencies including, but not limited to, the New York State Office of Renewable Energy Siting ("ORES"), NYSDPS, New York State Department of Environmental Conservation ("NYSDEC"), New York State Department of Agriculture and Markets ("NYSDAM"), New York State Historic Preservation Office ("NYSHPO"),

New York State Department of Transportation (“NYSDOT”), U.S. Fish and Wildlife Service (“USFWS”), and U.S. Army Corp of Engineers (“USACE”) throughout the development of the Project and will continue to do so during the later phases. This consultation has included incorporation of agency officials to the Notification list and relevant mailings, periodic meetings regarding Project development, and coordination on environmental studies and surveys.

Additionally, Developer has consulted and will continue to consult with various local utilities within the Project Area with the goals of identifying and avoiding impacts to utility infrastructure and minimizing any impacts to local service providers and utility customers during Project construction and operation. Further, Developer is currently in the process of negotiating crossing agreements with several existing utilities in the project area.

Consultation with affected agencies and municipalities has included and will continue to include the following general steps:

1. Developer has contacted each identified agency or municipality to make certain they are aware of the Project, obtain information on sensitive resources and planning initiatives, inform them of the Section 94-c process (including steps for intervenor funding), and provide contact information for company representatives to direct any questions or comments about the Project and/or about the Section 94-c process;
2. Subsequent interaction with each agency or municipality has occurred and will continue to occur as needed to answer specific questions or interests about the Project and to identify the applicable studies and impact analyses to be performed and how they pertain to the Project;
3. Regular consultation with ORES Staff occurred during early development of the Project and during the pre-Application stage, and it will continue to occur throughout post-certification, construction, and operation; and
4. Other specific consultations as required by the Section 94-c regulations, or as needed to inform the process.

At the time of its 94-c Application filing, Developer deposited funds for intervenor participation. Funds were deposited with ORES in an amount equal to \$1,000 for each 1,000 kilowatts (i.e., 1 MW) of generating capacity of the Facility. Under Section 94-c, the intervenor funds were held in a Local Agency Account managed and dispersed by NYSERDA to qualifying parties to aid in their participation in the scoping phase of the Section 94-c proceeding. Two requests for Local Agency

Account Funding were received and awarded; the Town of Ripley was awarded \$184,000, and the Ripley Fire District, Ripley Hose Company, and South Ripley Hose Company were awarded \$86,000.

During the initial consultation with each municipality or agency, Developer established contact and consulted with representatives, disseminated information, requested information, and scheduled follow-up meetings and/or consultations, as needed. Specific information provided to the affected agencies and municipalities included a description of the Project and location; explanation of the phases of the Section 94-c process and how the agency or municipality can participate in each step; description of the available local agency/intervenor funds and the process for obtaining funding; description of the local municipal responsibility; information about other planned consultations; and sources of additional information about the Project and Section 94-c (e.g., the Project and ORES websites).

Information requested from affected municipalities and agencies varied by the involvement of each, including, but not limited to, topics such as local laws, emergency response, environmental impact review, road use, and determination of news sources to be used for official notices. Developer has engaged and will continue to engage municipalities, agencies, and stakeholders throughout the post-certification and construction phases through a variety of methods, including public meetings, direct correspondence, review of comments submitted through the Project and ORES websites, and targeted meetings with some of the individual stakeholders identified herein. All stakeholder consultation meetings have been documented, and all presentation materials and meeting transcripts, along with a summary of questions raised and responses provided were included in the Project's Section 94-c Application.

#### **2.4. Pre-Application Activities to Encourage Stakeholder Participation**

Developer's staff have engaged affected and interested agencies, municipalities, utilities, host landowners, and other potential stakeholders on solar, wind and other energy-related projects throughout North America. Developer used and will continue to use this prior experience to facilitate meaningful stakeholder interaction during the post-certification, construction, and operation phases of the Project.

In addition to the engagement activities that have already taken place, Developer will continue post-certification activities to encourage stakeholder participation as set forth in this Plan.

Developer has documented and will continue to document consultations, stakeholder participation activities, and update engagement plans as additional means of engagement are identified (as necessary). In addition, concerns and questions raised by the public and Developer's response to these issues have been and will continue to be documented and those documented to date have been provided as part of the 94-c Application and subsequent filings.

#### **2.4.1. Public Education Activities**

Developer has attended Town meetings and conducted Developer -sponsored public information sessions and will continue to do so. Developer has distributed educational materials and provided information on the Project website, which describe the Project, and provided links to information on the Section 94-c process, local agency/intervenor funding, and other important stakeholder issues. These efforts will allow Developer to continue engaging with stakeholders regarding the Project and will offer multiple avenues of information distribution so that stakeholders and the public continue to have multiple, varied opportunities to obtain information on the Project and participate in the proceedings. Previous/planned efforts are discussed in further detail below:

**Table 1. Schedule of Key Engagement Activities**

| Key Milestone  | Date/Time                   | Milestone Details, Including Notification Summary  |
|--|-----------------------------|--|
| In-person Public Meetings  | December 2019               | <ul style="list-style-type: none"> <li>- Held in Ripley, NY</li> <li>- Two sessions were held at different times of the day to provide more opportunities for public participation</li> <li>- Notice of the meetings was posted in the Westfield Republican, Jamestown Post-Journal, the North East News Journal, and local document repositories</li> <li>- Host and adjacent landowners, as well as parties on the Notification List, were mailed an invitation two weeks prior to the meeting</li> </ul>                        |
| Preliminary Scoping Statement (“PSS”)                                | May 2020                    | <ul style="list-style-type: none"> <li>- Could not hold a meeting due to Covid 19 restrictions</li> <li>- A comprehensive Project and permitting overview was mailed along with the PSS filing notice to all stakeholders on the Notification List</li> <li>- As a result of this mailing, Developer received comments on the PSS from a large number of stakeholders, including the Town of Ripley, Ripley Volunteer Fire Department, South Ripley Cemetery Association, local landowners, and relevant state agencies</li> </ul> |
| Pre-Application Public Information Session                           | January 2021                | <ul style="list-style-type: none"> <li>- Hosted online via Zoom due to Covid 19 restrictions</li> <li>- Notice of the meetings was posted in the Westfield Republican, Jamestown Post-Journal, the North East News Journal, local document repositories, the Project website, and the Project Facebook page</li> <li>- Host and adjacent landowners located within one mile, as well as parties on the Notification list, were mailed an invitation 18 days prior to the meeting</li> </ul>  |
| Pre-Application Consultation with Town Supervisor and Local Agencies | January 2021 and April 2021 | <ul style="list-style-type: none"> <li>- The January meeting was held with the Chautauqua County Executive and the Chautauqua County Industrial Development Agency CEO</li> <li>- The April meeting was held with the Ripley Town Supervisor, Deputy Supervisor, and relevant town consultants and experts</li> <li>- Provided overview of Project, demonstrate compliance with local applicable laws, address potential impacts of facilities, review local agency funds and timeline for requesting same.</li> </ul>             |

| Key Milestone                         | Date/Time   | Milestone Details, Including Notification Summary  |
|---------------------------------------|---|--|
| Filing of 94-c Application            | March 2021 (no fewer than 60 days before filing) and July 2021 (no fewer than 3 days before filing) | <ul style="list-style-type: none"> <li>- The 60-day Notice of Developer’s Application filing was published in the Jamestown Post-Journal, Dunkirk Observer</li> <li>- The 3-day notice of Developer’s Application filing was published in the Jamestown Post-Journal, Westfield Republican, and North East News Journal</li> <li>- Notice was provided via mail to all parties on the Notification List</li> </ul>   |
|                                       |   | <ul style="list-style-type: none"> <li>- Paper and electronic of the Application were served on all parties identified in and as required by 94-c regulations, including but not limited to ORES, NYSDEC, the Town of Ripley, NYSAGM, NYSDOH, NYSDOT, OPRHP, Attorney General for State of New York.</li> <li>- Paper copies were provided to the local repositories identified on page 2.</li> <li>- Electronic copies of all documents were posted on the Project website.</li> </ul>  |
| Additional Public Information Session | November 2021   | <ul style="list-style-type: none"> <li>- Held in Ripley, NY</li> <li>- Two sessions were held at different times of the day to provide more opportunities for public participation</li> <li>- Notice of the meetings was posted in the Jamestown Post-Journal, the Dunkirk Observer, the North East News Journal, the Project website, and the Project Facebook page</li> <li>- Host and adjacent landowners, as well as parties on the Notification List, were mailed an invitation two weeks prior to the meeting</li> </ul> |

**2.4.2. Public Meetings**

As mentioned above in 2.2 – Outreach Activities To-Date, Developer held one virtual and two separate public meetings at various stages of the Project development process, as well as two additional meetings during the State’s review of the Project. These meetings were held at different times during the day, based on stakeholder feedback, to provide more opportunities for public participation. Representatives for Developer were present to provide Project information and answer questions. All in-person meetings were held in a public meeting space in reasonable proximity to the Project Area. To provide ample community notice, Developer contacted residences and businesses within the Project Area and parties on the Notification List, notifying them of the date and time of the public meetings.

Developer conducted a mass mailing to the Notification List to announce each public meeting and properly noticed these meetings in local newspapers, which include the Westfield Republican, Jamestown Post-Journal, Dunkirk Observer, and North East News Journal, at least 14 days prior to the scheduled event. Information regarding public meetings was also posted at the local document repositories, in the Ripley Town Hall, on the Project website and on the Project Facebook page (once live). In addition, Developer maintained a copy of the mailing and has obtained an affidavit of service as a record of what was mailed and to whom. The pre-Application virtual meeting was scheduled approximately no later than 60 days prior to filing of the Application, to present detailed information regarding the anticipated content of the Application and to solicit public input. The subsequent meetings were scheduled after filing of the Application to present an overview of the Applications content. Notification of all public meetings held by Developer was and will be mailed to the Notification List. In addition, Developer included the notice mailings and the affidavits of mailing in the Application or has uploaded them to the Project Document and Matter Management (“DMM”) system<sup>4</sup>.

Additional stakeholders will be added to the Notification List as they are identified. The updated list will then be used for future mail notifications, and the list will be further updated based on additional requests. Developer has provided and will continue to provide ORES with informal notice of all scheduled public meetings.

### **2.4.3. Educational Materials**

During the development and Application review phases of the Project, Developer developed outreach materials – including educational materials – that contain contact information, case number, and document repository information, detail where additional Project information can be obtained, and outline the process for becoming a party to these proceedings or for joining the Notification List. This information was also included in a notice mailed to residences and businesses in the Project Area as well as additional groups included in the Notification List. Educational handouts were made available at public meetings that include information on intervenor funding, how to request party status, the Section 94-c process, and general information about solar farms, as well as specific information about this Project. Additionally, the Project website provides information on the Project, links to (and information regarding) solar energy, the Section 94-c process, intervenor funding, and other important stakeholder issues. These efforts

---

<sup>4</sup> The “DMM” system is used to manage cases and matters being handled by the New York State Department of Public Service.

have allowed and will continue to allow Developer to engage with applicable stakeholders and will offer multiple avenues of information exchange, so stakeholders and the public have the best chance to obtain the right information and participate in the process.

#### **2.4.4. Project Website**

Developer has established a live, user-friendly website with up-to-date Project and company information in plain English ([www.southripleysolar.com](http://www.southripleysolar.com)). Developer has provided and will continue to provide Project updates throughout the post-certification and construction phases of the Project to keep the community informed of the Project's status. For example, maps were added to the website as the Project layout evolved, and notices have been and will continue to be posted to the website prior to various milestones and public meetings/outreach events.

The Project website includes:

- Project description;
- Project benefits and need;
- Summary of permitting requirements;
- Information on the Section 94-c process;
- Instructions on how to become a party to these proceedings or join the Notification List, with a link to the appropriate webpage;
- Summary of the local agency account/intervenor funding process and how to apply;
- Project contact information, including email address and toll-free telephone number;
- Copies of Section 94-c and related licensing documents;
- Addresses of local document repositories;
- A schedule that lists dates/times/locations for outreach events and key milestone dates;
- A copy of the 94-c Application
- Information on Developer;
- News and announcements; and
- Frequently asked questions about the Project, Developer, and solar energy.

As indicated above, the website includes the Project Contact Information (see page 2). Interested parties may request inclusion in the Notification List through the website. Developer has made and will continue to make efforts to respond directly to all substantive inquiries and comments submitted to the Project contact (by email, telephone or mail) within 2-3 business days of receiving the inquiry and/or comment. Developer's normal business hours are from 9 AM to 5 PM Monday

to Friday, excluding statutory holidays and between Christmas and New Year's. Where the inquiry and comments require a longer response time, the initial response has indicated and will continue to indicate a timeframe anticipated for the full response. Correspondence has been and will continue to be documented in a database. In addition, where an in-person meeting is requested, efforts have been and will continue to be made to accommodate such meetings within 15 business days. Email inquiries to the general project email address receive an automated response acknowledging receipt of an interested party's question or comment.

#### **2.4.5. Notifications**

The Section 94-c regulations establish the notification requirements for serving documents. Pursuant to the rules, Developer has published and will continue to publish all required notices in the Jamestown Post-Journal, Dunkirk Observer, and North East New Journal (the Westfield Republican is no longer an active publication), the Project website, and the Project Facebook page, as well as provide notice in accordance with Section 94-c standard notice requirements for actions of the Town of Ripley.

No less than three days before filing of the Application, Developer published a notice of the Application in the newspapers listed above; served each member of the State Legislature in whose district any portion of the Project is to be located; provided written notice to those persons who have filed a statement with the secretary that wish to receive such notices; and provided mail notification to all parties on the Notification List. In addition, notice was posted on the Project website and the Project Facebook page.

Developer will publish any other notices required by Section 94-c under the procedures contained in Section 94-c.

An updated Notification List has been and will continue to be provided with all filings, which will include host and adjacent landowners and parties identified through Developer's outreach efforts, as well as proof that a mailing has occurred.

#### **2.4.6. Soliciting Feedback and Input from the Public**

To ensure that the local community stakeholders and host municipalities are engaged before, during, and after the Section 94-c Application processes, Developer has employed and will continue to employ the following methods to foster a dialogue and solicit feedback and input:

1. Comment cards have been and will be available at all public meetings hosted by Developer. This has allowed and will continue to allow Developer to gather feedback on and questions about the Project and document and respond to stakeholder questions and comments.
2. The information contained in the comment cards has been and will continue to be entered into a database, and members of the Project team have used and will continue to use the database to follow up with individuals and inform the content used in educational materials, as necessary.
3. The Project website includes Project contact information, including an email address, a toll-free phone number, a contact form for members of the public to submit comments or questions to the Project team, as well as a page through which visitors can request to be added to the Notification List.
4. The Project website includes information on the Section 94-c Application process, so that stakeholders could monitor and/or become involved in that process, including information regarding any planned public meetings.
5. Developer has conducted and will continue to conduct a mass mailing to the Notification List to announce each public meeting and will properly notice these meetings and public hearings in local newspapers, which could include the Jamestown Post-Journal, Dunkirk Observer, and North East News Journal prior to the scheduled event.
6. Information regarding public meetings and public hearings has been and will continue to be posted in the Glen Town Hall or other appropriate locations based on the where the pending public meeting(s)/hearing(s) will be held.

### **3. Project Benefits**

With a planned nameplate capacity of 270 MWac, the electricity generated by the Project will deliver a material amount of greenhouse gas-free energy to the New York electricity grid. Solar energy is particularly beneficial during the summer months, as consumer demand increases to meet peak demand events, such as residential air conditioning loads. Because it uses no traditional fuel source, solar energy avoids the air pollution that would result from meeting this increased demand solely from fossil fuels, and it dampens the cost of power at this time of peak conventional power cost.

The Project is expected to have positive socioeconomic impacts in the area related to employment opportunities, specifically by generating temporary construction employment, a significant portion of which will likely be drawn from the regional labor market. Local construction employment will primarily benefit those participants in the construction trades, including equipment operators, truck drivers, laborers, and electricians, and could potentially generate around 200 short-term, full-time equivalent (“FTE”) jobs over the two-year project construction period. In addition, Project operation will generate employment and contracting service opportunities for electricians, operations managers, laborers and fencing contractors, and landscaping maintenance crews. Developer has signed a memorandum of understanding (“MOU”) with Laborers’ Local 621 to use their resources during the construction phase of the Project.

In addition, if Developer is granted a NYSERDA contract, Developer will establish a Host Community Benefit Program through which \$500/MW is paid into a fund annually over the first ten years of the Project’s operations (\$1,350,000 in total). These funds will be distributed equally by the local utility to all residential utility customers in the Town of Ripley in the form of an annual utility bill credit.

### **3.1. Payment in Lieu of Taxes and Host Community Agreement**

Over the life of the Project, Developer is expected to contribute tens of millions of dollars in additional revenue to the Town of Ripley, Chautauqua County, the Ripley Central School District, and the Sherman Central School District in the form of a PILOT agreement and HCA. PILOT agreement terms were agreed on with the Chautauqua County Industrial Development Agency in January 2022, and Developer expects to finalize that agreement in late August 2024. Through the PILOT agreement, the Project will provide more than \$30 million to the Town of Ripley, Chautauqua County, and the Sherman and Ripley School Districts over its 30-year life. Further, an HCA was signed with the Ripley Town Board in December 2021, which will provide an additional \$30+ million to the Town of Ripley and the Ripley Fire District over 30 years.

The Project will bring other socioeconomic benefits to the local community including the purchase of goods and services from local shops, hotels, restaurants, grocery stores, gas stations, and construction material suppliers, as well as direct lease payments to participating landowners.

Through very deliberate site selection, followed by careful planning and design, and by the benign nature of the technology, the operating Project is expected to have minimal impacts on the

surrounding community. Solar facilities are quiet and produce no vibration. The solar PV panels proposed to be used for the Project have a low height profile, while setbacks, fencing, and landscape buffering contribute to minimizing visual impacts on the community and natural setting of the area.

Although the Project will result in a change to the current land use practices in the locations where panel arrays are sited, this land use change is temporary. The Project is not a permanent structure and will be decommissioned at the end of its operational life, at which time the land can be returned to its former use. Therefore, the land is not permanently lost to development but is temporarily converted to another productive and beneficial use.

In agricultural areas, responsibly sited and operated solar facilities may provide long-term preservation of agricultural land, as the facility prevents other forms of more permanent development during the operational term. It can also serve to improve soil quality by allowing the land to lay fallow with appropriate ground cover planting. It is expected that the Project will take approximately two years for construction and, once completed, will have an operational life of up to 30 years with the option to extend leases for up to 19 additional years. Developer has developed and provided a detailed decommissioning plan in its 94-c Application. In accordance with the Section 94-c regulations, the decommissioning plan will ensure proper removal of the Project and restoration of the land at the end of the Project's useful life.

Impacts associated with the construction of a solar project are generally short-term and temporary, occurring briefly during the construction period. Construction-related noise may be associated with site preparation activities and increased traffic associated with equipment and parts deliveries. Limited ground disturbance in the form of clearing and grading may be needed; however, best management practices and stormwater protection measures will be implemented to avoid or minimize impacts to water quality. Potential impacts to wildlife could involve the short-term displacement of resident and migratory species associated with the conversion of habitat, although the Project would implement conservation practices to avoid and minimize adverse effects to sensitive species during construction in consultation with NYSDEC and other relevant stakeholders. In its Occupied Habitat Final Determination Letter in April 2021, ORES, in consultation with NYSDEC, found the following: (1) the Project will not result in the potential take of any threatened or endangered grassland bird species, (2) the Project is not within one and a half miles of a maternity roost site or five of a hibernaculum site of the Northern Long Eared Bat, and (3) there are no bald eagle nests identified within close proximity of the Project Area.

Following completion of construction of the facility, which shall adhere to the Uniform Standards and Conditions, post-construction reclamation activities would be performed to revegetate disturbed areas, reclaim temporary work zones, and remove construction materials debris.

A robust analysis of the potential Project impacts associated with the operation, construction, and decommissioning of the solar facility have been performed as part of the Section 94-c process.

### **3.2. Benefits to Disadvantaged Communities**

The CLCPA includes several environmental justice provisions, including setting a target for DACs to receive 40 percent of the overall benefits from the state's climate programs and at a minimum, to receive no less than 35 percent of those benefits. The Project Study Area is not within a Potential Environmental Justice Area; therefore, no direct or indirect effects are anticipated. Developer has applied a community-focused approach to development, with the intent to ensure the community is informed of the Project and aware of potential socioeconomic benefits associated with the long-term operation of the Project. Although no negative impacts to DACs are expected, Developer expects the local communities, including nearby DACs, may benefit from jobs and economic opportunities associated with the construction and operation of the Project.

#### **4. Local Interests and Concerns and Mitigation Strategies**

Although New York State supports the development of renewable energy facilities, there is some opposition to solar facilities within New York. Developer is aware of some local opposition and specific local concerns regarding the South Ripley Project, which are largely focused on land use and potential health and safety impacts of a BESS.

Developer acknowledges that there is intensive land use when developing solar projects and carefully sites its projects where transmission and land are available, and the landowner's preferences control how much and what kind of land, including farmland, are available to be developed. Developer has to-date focused on selecting sites that do NOT have other high-productivity agricultural uses, or when this is not possible, to avoid siting project facilities on areas with high concentrations of Prime Soils. Developer conducted a detailed review of existing and proposed land uses within the Project Area with a focus on agricultural resources. The predominate agricultural uses within the Project Area is field cropland such as hayfield. Further, Developer has avoided nearly 60% of active agricultural lands within the Project Area through consultations with landowners, agricultural surveys, and implementation of exclusion zones where Project components are restricted to allow for continued farming. Developer has also prepared an Agricultural Plan in accordance with NYSDAM Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands (“NYSDAM Guidelines”), to avoid, minimize, and mitigate impacts to active agricultural lands to the maximum extent practicable during all phases of the Project. During construction, an environmental or agricultural monitor will oversee Project activities and will be responsible for maintaining coordination with landowners during and upon completion of construction. Developer also will use commercially reasonable methods to plant and maintain pollinator-friendly undergrowth for the Project. Developer will follow all applicable NYSDAM Guidelines regarding construction, and if impacts to prime soil groups cannot be avoided, will engage the required mitigation measures.

Project opponents are also concerned that a BESS will be a health and safety risk to Ripley residents. In addition to frequent email correspondence with local emergency responders, in May 2020, Developer hosted a webinar on BESS safety to introduce the Project to relevant fire and EMS officials and to introduce the basic safety considerations for BESS. Further, Nick Warner, Founding Principal of Energy Safety Response Group (“ESRG”) participated on the panel during the January 2021 virtual public meeting to respond to attendees' BESS safety-related questions. In May 2021, Developer held a meeting with Chautauqua County Emergency Services to provide

copies of the Site Security Plan, Safety Response Plan, and Emergency Routes as well as project details and the preliminary BESS layout. At the meeting, attendees discussed emergency response needs, including dry pipes to a water source, windssocks at the battery storage location, 20-foot-wide access roads, and potential training needs. In July 2021, Developer held an in-person meeting with the Ripley Volunteer Fire Department and the Chautauqua County Office of Emergency Response to discuss the Site Security Plan, Safety Response Plan, Emergency Routes, and potential emergency response needs. Three ESRG representatives, including Nick Warner, were also present at the November 2021 public meetings to answer BESS safety-related questions from attendees. At the August 2022 Public Hearing, many of the public comments against the Project focused on potential risks of BESS, and Developer filed comprehensive responses on the Project DMM. Despite Developer's continued efforts to mitigate these health and safety concerns, the public perception of BESS remains negative, so Developer has decided not to pursue a BESS component of the Project at this time.

Given the Project's low impact construction and operation, Developer's commitment to continuing transparent and thorough public outreach and responsible siting practices, and the Project's numerous benefits to the host and local community, Developer does not expect additional opposition to develop. Should any additional local interests and/or concerns arise, Developer will employ the strategies outlined in Section 5 below.

The Section 94-c siting process requires the study of the environmental, public health, and public safety impacts of the development, design, and construction of solar energy projects, as well as any proposed mitigation measures and reasonable alternatives to the Project. Developer has worked and will continue to work with the relevant local, state, and federal agencies and stakeholders to ensure that potential impacts are fully considered.

Further, the Section 94-c siting process requires the Project to comply with applicable local laws and regulations, unless such law is unreasonably burdensome in the view of New York State renewable targets and environmental benefits. As previously detailed, the Project team has provided comments and recommendations to the Town Supervisor regarding the Draft Solar Law for the Town of Ripley in 2021.

Developer has endeavored to design the Project in accordance with the local solar law to the greatest extent practicable and thereby reduce the likelihood of an adjudicatory or public statement hearing for non-compliance in the Section 94-c siting process. During the April 2021

local agency consultation meeting and public meetings, Developer outlined the local zoning regulations for which requested waivers in its Application.

## **5. Method for Public Feedback**

Substantive comments and questions on social and economic factors raised by the stakeholders and host communities and Developer's responses have been and will continue to be documented in the educational materials that are distributed to the public and posted on the Project website. Common concerns are addressed in Developer's solar FAQ handout, included in the educational materials to be distributed to the public, and posted on the Project website.

## **6. Activities to Encourage Stakeholder Participation**

Beyond the activities described above in Section 2.4, Developer will continue to identify additional, practical measures to encourage stakeholder participation during the post-certification and construction phases. This has been and will continue to be an ongoing, evolving process throughout all phases of the Section 94-c review process (pre-Application phase, Application phase, hearing and decision phase, and post-certification phase). These efforts are outlined in Table 1.

As previously stated, Developer has held one virtual and four in-person open-house-style public meetings. These meetings have been held at different times of the day to accommodate workers' schedules and provide the best opportunity for interested people to attend. In addition, the Project website has been and will continue to be updated continuously with Project developments, meetings, and announcements to keep stakeholders and the public informed.

Developer will conduct additional public outreach and notifications as the Project enters the construction phase. These efforts will include notification of the start of construction to various parties and implementation of a Complaint Resolution Plan (a draft of which will be included with the Section 94-c Application). This plan will address public complaints and resolution procedures during Project construction and operation per the Section 94-c regulations.

## **7. Addendum**

Since August 2024, Project team has engaged in additional outreach activities. The Project executed a PILOY Agreement with Chautauqua County in September 2024. Further, extensive

updates were made to the Project website in November 2024, and additional community donations were made to the Ripley Rotary Club and the WRCL Youth Wrestling Team.